G. R. S. 59] GPD—15,000—20-12-15

GENERAL AND REVENUE SECRETARIAT.

1902

( Police )

# File No. 51

# Serial Nos. 1—4.

## Papers Filed.

*Month* November 1902

SUBJECT.

Appeal of the Musalmans of Chintamani against the order of the Dy C. Kolar Dist. declining to order the stoppage of Hindu Music in front of the Masjid

| PREVIOUS REFERENCES. | LATER REFERENCES. |
|---|---|
| | Pol 161-32-1 |
| Indexed | B. E. Narasimhaiya |

OFFICE OF THE DEWAN OF MYSORE,

(REVENUE AND GENERAL DEPARTMENTS).

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**(Full Office Note.)**

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† 1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black i

1. ...ument of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

Petns Rd Nos 1&2.

† **Subject.**

Petition Rgd No 196 R. dated 18th July 1902 from the Mussulman Inhabitants of Chintamani, app-ing against the Deputy Comr. order declining to ~~forbid~~ order the Stoppage of processions and music of Hindus in front of their Musjid.

* **Note.**

The Petitioners having sent up two petitions to Govt Comp-ing that the Dy. Comr of Kola had not passed any orders in regard to their prayer for the Stoppage of Hindu music in front of their Musjid at Chint the Petitions were forwarded to the Dy Comr for needful action.

The Dy. Comr, thereupon repo that after a personal local inspection of the place, he sugg to the Petitioners a compromise as the Vaisya residents of the plac

they were willing to accept a-
gree and take policy, and that
as the petitioners remained
obdurate, he decided the
matter. He submitted a copy
of the order passed by him
after full enquiry in
which he refused to
issue orders to stop processions
and music of other castes
in front of the mosjid, as
the building (mosjid) was not
a recognized Mosjid and
the entrance in front of
which the music was required
to be stopped, not the Mamool
entrance as found from the
records.

x Copy in Sl No 10.

The petitioners now appeal
against the above order on the
following grounds:—

1. That they were not given an
opportunity of making a formal
representation of their case
and producing all their evidence
as no date was fixed for the
purpose and notice thereof given
to the parties.

2. That the records that the appellants

had

had produced before the Guild as in fav of of their contention that the building in dispute is a Musjid were not perused & considered.

3. That the matter was not formally inquired into after notice to parties

4. That the appellants had in their possession all their documentary evidence for production on receipt of a notice from the Dy. Comr.

From the observations made in the last but one para of the Dy Comr's order it appears that he patiently heard both the parties on the 21st of August 1901, before he passed his order declining to review or rescind the order of Mr Sparkes dated 16th February 1899 rejecting the petition of the Mahamadans to have the music stopped in front of the building or exit

Submitted for order

The question seems to have

27/8/02

been decided already twice
by Mr Sparkes in 1899 and again
by the present Deputy Commissioner
The Appellants seem to be
merely trying to agitate the same
question again. The dispute is of
very long standing In 1871 on
an application presented by
the Mahammadans of Chanitanam,
it was then ordered "that
music and procession shall not
be stopped by other castes before
Astankara and Kabamalam" the
order presumably referring to
some building on the site of
or near the building in
question. It is now identified with
the school. The present building
seems is however admitted to
have been used as a mosque
some years past. But it has
not been officially recognized
as such. The Dy Commissioner
has remarks that its use as
such is comparatively recent
He also finds that the fact in
dispute of which the music is sought
to be stopped is not the main
fact. Thus the right claimed
is not in accordance with either

Paras 3, 4, 5 of the order passed by the Dy Commr enclosure to Ex. 10

Para 9 of do

case in the standing order Part
Submitted for order
Puri
18/8/02

Are such cases to be regarded as
Murray. Police or Magisterial?
Please let me see some prece-
dents. H

W.D.G. 7/9/1902.

Submitted.

Please see J. F. No 23 of 1897-98
on the subject of framing rules for
regulating processions etc. It will
be seen from the Asstt Secretary's
Memo of 26/3/01, that such
cases are to be regarded partly
as Police and partly as Magisterial.

9/9/02 The Mosque in question is
not a hereditary institution. The
ground on which the music was
sought to be stopped is presumably
religious. It is usual to make
such questions hinge merely on
their tendency to cause a breach
of the peace and the enquiry is
then held under the Criminal
Procedure Code. The District Magistrate's
order does not show under what
provision of law he held the

6

inquiry. The order seems to have been passed in an executive capacity but as it proceeds to determine the rights of the parties it has a quasi-judicial character. The proper course perhaps is for the parties to obtain an adjudication from the Civil Courts. It has however been usual for the aggrieved party to appeal to the Govt in the last resort. Such petitions have been dealt with in the Judicial Dept (See Sl No 13 of the linked file No 27 of 1894-95 & Sl No 10 of dt. 12th of 1894-95). In Govt Proceedings No 109. Dt. 16 of the 17th Feb 1893 the general principles in which cases of this kind should be decided are laid down. In Govt Proceedings No 9109-18 Ret. F 27.94 dated 18th Nov 1894 a Collection of the orders passed in cases of the kind was directed to be made for the purpose of framing definite rules for the information of the public explaining the extent of the rights of individuals or classes of persons in regard to processions &c. Though such a collection was made (J File No 23 of 1897 CC) it was not considered Sl No 1 in linked file No 27 of 1894-95 with to the frequency of such cases

advisable to pursue the matter
further (Dewan's order on Hobday's
note dated 21.6.01) There is no provision
of law, however, for appeals to
Govt. in such matters.

Submitted for orders
Govt. Collr.
final executive
authority, has the right
to ~~update~~ issue orders for the guidance
of his subordinate executive officers.

In the present case, the Certificate Case
may be forwarded to the Dy Comr. for
any remarks he may have to make, &
for submission of the records of the case, under
the order passed by Mr Sparkes.

10/9/02

To see

Yes

24/9

Draft submitted

24/9

Office Note Continued.

As directed in the above, the
petition was forwarded to
the Dy. Comr. for remarks &
for submission of the entire
records of the case. In reply
he submits the entire record
of the case including the order
of Mr H. H. Sparkes, and the

letter C. No 685
dated 28th October
1902.

8

much as the facts of the case and his remarks are contained in this order which was recorded in Govt Proc: No 17348 J 1566 dated 25th April 1902, he has nothing more to add beyond saying that the factious spirit between the Mahomedan and Vaisya Community is still very strong among to this new Masjid and ~~it~~ is not likely to abate until the question is finally settled.

The order of Mr Sparke dated 16th February 1899 is as follows:—

"As both the Mahamadans own showing the building in question is an Ashurkhana, on referring to the Dy. Comrs Circular No 9 dated 10/12/71 based on the Chief Comrs letter No 4363 - 172 of 30th Novr 1871 it is clearly laid down that the playing of music in front of Ashurkhanas is not prohibited. For these reasons, I reject the petition and refuse to order the playing of music in front of

of which this building forms
stopped."

The present by Bowrs
Mr F. E. C. Carr, found that
the building in question was
not a recognized Musjid and
that the entrance in front
of which the music is required
to be stopped, not the mamool
entrance, and rejected the petition
of the Mahomedans.

The prayer of the petitioners
has been rejected by two Depty
Comrs, and it is a question
for consideration whether Govt
can interfere in the matter.

If approved the petitioners
may be informed that Govt
see no adequate grounds for under-
-taking in this matter and that
they may, if so advised
obtain an adjudication of
their rights in the Civil Courts.

Submitted for orders.

with a draft

6/11/02

120-

6/11/02

6/11/02

The Dewan through the Govt (Police)

12/11

The Govt
have no
interest in
this

12/11

SECTION Miscl.

FILE No. 4902 1902

No. 196

Name of Petitioner Mr. Inamuddin Sahabsab Tef

Village Mchintapiman

Taluk

District Kolar

Date of Arzi

Date of Receipt 18-7-02

Date of Disposal

No. of Enclosure one — Order of Dy. Comr., Kolar, appea against.

ABSTRACT

Appeal against the or of the Dy. Comr, Kolar, 8-4-02, declining to recognise the building question as "masjid. The order appealed against which is long which is in English, is enclosed.

Substance of the Or

The petitioners who are

MGCPE—4,000—31-1-03.

mmadans presented a pe-
gai. order to restrain the
ers. and Men Hindu
me passing in procession
the music in front of
asjid situated in the
ain road of Chintamani tow

The case was found to
ve been formerly and finally
cided by Mr. Sparkes. and
proceedings of the case was
t for before the Court:

After full enquiry and
plete perusal of all the Reco
By. Comr. Mr. Carr tried
compromise the Mahamadans
the Hindus ~~and~~ by proposing
t the Mahmadans should
w the entrance H (shown in the
) to be closed up as being
y inconveniently situated betwee
ious houses and that they
uld open an entrance at
(also shown in the plan).

The Mahmadans refused
cede to those terms and
By. Comr. in consequence

the case and the Mahomedans having failed to show either that B is a recognised Mosjid or A. is the Mamool entrance to that Mosjid, the Dy. Comr. Mr. Carr declined to review or rescind the order of Mr. Sparkes of 16-2-99 which rejects the petition of the Mahomedans to have the music stopped in front of the building or entrance

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The Grounds of appeal are:

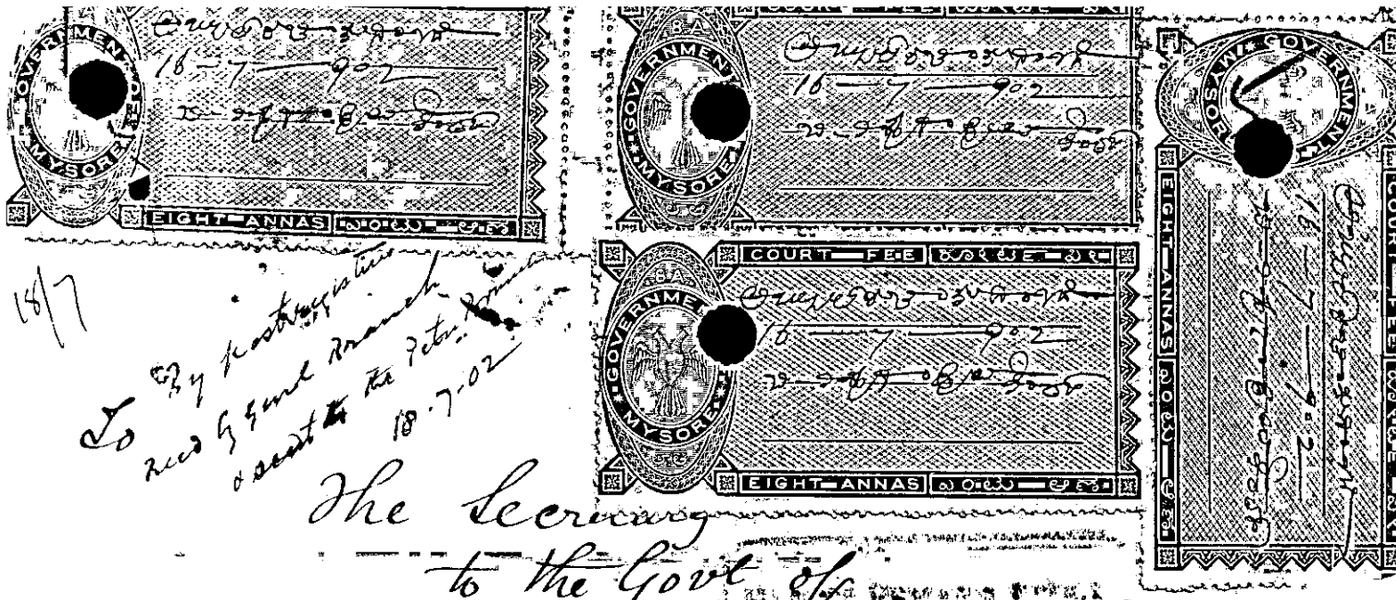
1 The appellants were not given an opportunity of making a formal representation of their case & producing all their evidence as no date fixed for the purpose notice thereof given

papers produced before the Amildar in pro of their contention, were not perused and considered.

III The petrs. had all their old records, but they were not given notice to produce them.

For these reasons, the petitioners pray for a formal enquiry of the case to be held and for final disposal on merits.

Hyder




18/7

To By registered post
Revd by same Branch
& sent to the Peta. 18.7.02

The Secretary
to the Govt of
Mysore

The humble appeal [preferred] of the inhabitants (Musalmans) of Chintamani against the order (original thereunto submitted) of the Deputy Commissioner and District Magistrate, Kolar District dtd 8th April 1902 (received on 18/5/02 [signing to recognize the building question as Masjid] -

following are, amongst
s, the grounds of appeal.
he appellants were not given
opportunity of making a
ual representation of their
& producing all their evidence.
no date was fixed for the
pose & notice thereof given
the parties.

II The records that the appellants had produced before the Authorities in proof of their contention that the building in dispute is a "Masjid" were not perused & considered

III The matter was not formally inquired into after notice to parties

1968
2 stamped affs.
1 enclosure

IV The Appellants have in their possession all their documents evidence for production on re of a notice from the Deputy Commissioner to whom their petition to Govt was forwar (Vide Endorsement no: 5141/379 dt 21/9/01

Under these circumstances the Appellants respectfully pray that the case may be kindly remanded to the Deputy Commissioner for the inquiry & final disposal o

Appellan

Enclosure No 21

Court of the Deputy Commissioner and
District Magistrate, Kolar District

This 8th day of April 1902

Present H. C. Carr Esquire
Deputy Commissioner and
District Magistrate
Kolar District

Petitioners

Budan Sab & other
Mahommadan residents
of Chintamani

Counter Petitioners

Munisubbaiya
& other merchants
living at Chintamani

The Petitioners who are the Mahommadan residents of Chintamani presented a petition for an order to restrain the Counter petitioners and others from passing in procession accompanied with music in front of a Masjid, situated in the main road of Chintamani town.

The petition was referred to Mr Krishna Rao, Assistant Commissioner and 1st class Magistrate for disposal. But in the course of enquiry, objection was taken to the proceedings before that Officer on the ground that the subject matter of the petition had been before the District Magistrate [illegible] that he had decided the matt

As regards question 2, the plot of land marked D is said to be Government land, and the well in it is reported to have been made by the Komati community. Between D & E there is a tumbled down sort of entrance, or alley, leading into the compound in front of the building B, as is clearly shown in the plan. The angadi E, the Hindu Girls' School F, the Sanjis' house G, and the plot D above referred to, all encroach upon and project into the compound of the building B which, I think, clearly shows that until comparatively lately the building B could not have been used as a Masjid. It seems to me that the entrance marked H must have been left open for the convenience of persons going to the old Ashurkhan

It is in a most dilapidated and wretched state and cannot certainly be recognised as the main entrance into the compound of the building B.

On my personal inspection of the spot on 21st August last and, after a patient hearing of both parties, I attempted to bring them both to a compromise. My suggestion was that the Mahommadans should allow the

the entrance H to be closed up as being very
inconveniently situated between various houses,
and that they should open an entrance at K, the
Komaties and other Hindus on their side agree-
ing to buy out the Dariè and throw his
house and compound, into the compound
of the Masjid, making it square and con-
venient; the Komaties also agreeing to stop
music in the road opposite point K and in the
street opposite to the old Masjid A if necessary.

After much discussion, however, the
Mahommadans refused to accede to these
terms, and I in consequence refused to issue
orders to stop processions and music of other
castes in front of the entrance H. This being
the case and the Mahommadans having
failed to show either that B is a recognised
masjid or that H is the manool entrance
to that masjid, I decline to review or
rescind the order of Mr Sparkes dated
16th February 1899 which rejects the petition
of the Mahommadans to have the music stopped
in front of the building or entrance.

(Sd.) F.C. Carr
Dt. Magte.

No. 8. 1.02.

Copy forwarded to Berdan Esq

and another Mahomedan residents of Chintamani with reference to their petition (R No:- 2426/17.2.02) to the Dewan of Mysore dated 15th February 1902.

R Clarke
Deputy Commissioner
Kolar District

Thro' Thesildar Commissioner
Chintamani Division
for favour of delivery to the Petitioners.

Delivered today
ag
16/4/02

Received on 18/2/02
at Kolar by Budansab

Letters from No. 1758
9-11-1902

15

Post address
[illegible]

In the Court of the Deputy Commissioner and District Magistrate Kolar District.

This 8th day of April 1903.

Present: J. C. Bowie Esqre.
Deputy Commissioner
District Magistrate
Kolar District

Petitioners
Beedan Sahibothen
Mahomedan residents of Chintamani.

Counter Petitioners
Imam Sahib & other merchants living at Chintamani.

The Petitioners who are the Mahomedan residents of Chintamani presented petition for an order to restrain the Counter petitioners and other Hindus from passing in procession accompanied with music in front of a mosque situated in the main road of Chintamani town.

The petition was referred to S. Krishna Rao, Assistant Commissioner

and 1st class Magistrate, Chinsurah, Hooghly Division. B. A. in the course of enquiry, objection was taken to the proceedings before that officer on the ground that the subject matter of the petition had been before the District Magistrate Mr. Shanks and that he had decided the matter finally.

The proceedings of the case were then sent for before this Court. The facts are briefly as follows: —

In an order No 64 dated the 1st January 1871 the Deputy Superintendent Nandiakrooy Division wrote to the Amildar with reference to the petition presented by the Mahomedans of Chinsurah requesting that music should be stopped in front of "Ashar-Khana and Masjids", that a reference had been made to the Chief Commissioner who replied in his letter No 245/19 of . . . that music and

processions should in all be [illegible]
by others castes before "ashurkhanas
and Kalamtans."

It is admitted even by the
Komatis that the building marked
B in the plan attached, has been
used for some years past as a —
"masjid" the new "ashurkhana" being
a small mud-roofed building C. —
The building marked A is now a
school, but was, it is reported, for-
-merly the old masjid. Although B
is now used as a masjid, it has never
been officially recognized as such,
and from the wording of the above
orders of the Deputy Superintendents,
it may I think be clearly argued
that at that time, the building
B was nothing more than an —
"ashurkhana". It has probably been
gradually, and without official —
authority enlarged and has become
the unofficially recognized masjid.

of the Mahomedans. —

Allowing for argument that this is so, we come to the question of the main gate leading to the — masjid. In 1871 the Deputy Superintendent issued a circular to all the Amildars (No. 9 dated 10th December 1871), which was based on the Chief Commissioner's letter No. 4363/132 of the 30th November 1871, to the address of the Superintendent, Nagar Division — in which he says that music should be stopped only in front of the principal gate existing from manool.

The main questions at issue are: —

(1) Is B a recognized masjid, —

(2) Is the main gate of the masjid, the one lying between the Hindu Girls' School and the plot of ground marked D contiguous or facing the Kachella road.

As regards the first question, I find nothing on the record which shows

that the building marked B has been authoritatively recognized as a masjid, in contra-distinction to an akharkhana.—

As regards question 2, the plot of land marked D is said to be Government land, and the well in it is reported to have been made by the Konkani Community. Between D & E there is a tumbled down sort of entrance, or alley, leading into the compound in front of the building B, as is clearly shown in the plan, with the Bungadi E, the Hindu Girl School F, the Panjiá-house G, and the plot D above referred to, all encroached upon and built into the Compound of the building B which, I think, clearly shows that until comparatively lately, the building B could not have been used as a masjid. It seems to me that the entrance marked H must have been

[illegible] for the convenience of persons going to the old "akharkhana". It is in a most dilapidated and wretched state and cannot certainly be recognized as the main entrance into the Compound of the building B.

On my personal inspection of the spot on 21st August last and after a patient hearing of both parties, I attempted to bring them both to a compromise. My suggestion was that the Mahanadans should allow the entrance H to be closed as now being very inconveniently situated between various houses, and that they should open an entrance at K. The Komatis and other Hindus on their side agreeing to keep out the Darji and throw his house and Compound into the Compounds of the Masjid, making it square and convenient

the musicians in the road opposite point K and in the street opposite to the old masjid A if necessary—

After much discussion, however, the Mahamadans refused to accede to these terms, and I in consequence refused to issue orders to take processions and music of other castes in front of the entrance H. This being the case and the Mahamadans having failed to show either that B is a recognized masjid or that H is the main entrance to that masjid, I decline to review or rescind the order of Mr Shanks dated 16th February 1899 which rejects the petition of the Mahomadans to have the musicians stopped in front of the building or Entrance.

8-4-02.

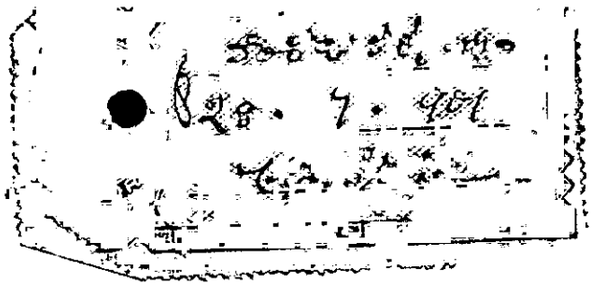
E C Cam
Dt Magt.

taken down at my
final dictation

1/4/02 F. C. Cave
J. M.

Copy to Petitioners
& to Govt in connection
with undertaking to
d 5/4/02

8/4/02 F. C. Cave
J. M.



F. C. B. Carr Esquire
Deputy Commissioner
Kolar District

Most Respected Sir,

The humble petition of the Hindu population of the town of Chintamani Most Respectfully Sheweth; — viz

I That the Mohammedan Community of Chintamani have filed a petition in this Honourable Court for an order to stop the playing of music by the Hindus in front of the Ashurkhana in Hosapet on the ground that it is a Mosque.

That the said petition is pending disposal

II That a similar application was filed by the Mahomedan Community in your Honours' predecessors' time when an order has been passed to the Effect that the playing of music cannot be Stopped as the building is only a 'arkhana.

III That on the night of the 25 inst the Mussalman Community of Chintamani at Midnight erected a "Minber" Stone-steps in the Ashurkhana without a license, to give the building an appearance of a Mosque.

IV That on the 27th inst, being a day of Religious devotion among Hindus the Mohammedans with intent to wound the religious feelings of the Hindus brought in a dead body into the town and after placing it in the said Ashurkhana for some time, took it to the burial ground.

That on the 27th inst, when a party of Hindus were passing in the Streets with Bhajane some Mussalmans threw a potful of Rubbish on the group.

V VI That the Mohamedans have unlawfully taken possession of a bit of land, adjacent to the Ashurkhana, belonging to Sivaramiah & Lakshmi-Narayya and are asserting their rights to it.

VII That by these and various other acts, the Mohammedan Community Show a determination to insult the Hindus and cause breach of peace.

VIII. That therefore the petitioners humbly pray

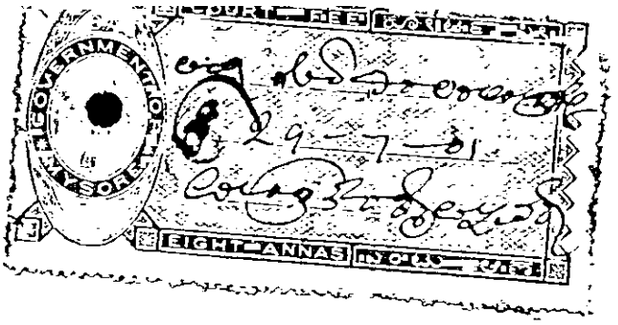
(a) That the Mohammedan Community may be ordered not to interfere with the playing of Music in front of the Ashenkhana till the disposal of the petition presented by them.

(b) That the said "Nimber" built without permission may be removed.

(C) That the Mohammedan Community may be bound over to keep peace

C. B. Gopala Rao
Pleader for petr.

[illegible]



24

ಕೋರ್ಟಾಫ್ ಸ್ಮಾಲ್ ಕಾಸಸ್ ಬೆಂಗಳೂರು ಕೋರ್ಟಿಗೆ.

Rev — ಸಕ 190 —90 ನೇ ಇಸವಿ. ನಂಬರ್

ಅರ್ಜಿದಾರರು —
ವಾದಿ ಪ್ರತಿವಾದಿ
ಒಂದಾಮ್ಲಾ ಸ್ಟೋರ್ಸ್ ಬಾಂಬೆ ಪಕ್ಷದ ಪರವಾಗಿ ಕಿಂದಾ ಬರೆದು —

ಪ್ಲೀಡರ್ ಶ್ರೀ ಬಿ. ಗೋಪಾಲಕೃಷ್ಣರಾವ್ ಅವರಿಗೆ.

ಅರ್ಜಿದಾರರು ನನ್ನು ಬರೆದುಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮೆ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನನ್ನ ಪರವಾಗಿ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ಅರ್ಜಿ ವಗೈರೆ ಕೊಟ್ಟು, ವಿವಾದಿಸಿ ಫೈಸಲ್ ಹೊಂದತಕ್ಕಬಗ್ಗೆ, ಮತ್ತು ನನಿಗೆ ಸಲ್ಲತಕ್ಕ ಡಿಕ್ರಿ ಮೊಬಲಗು ದಸ್ತ್ಕಾವಜು ವಗೈರೆ ತೆಗದುಕೊಂಡು ರಶೀದಿ ಕೊಡುವದಕ್ಕೆ ಸಹಾ ತಮಗೆಅಧಿಕಾರ ಕೊಟ್ಟದ್ದೇನೆ, ಆದ್ದರಿಂದ ತಾವು ನನಿಗೋಸ್ಕರ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನುಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳುತ್ತೇನೆ.

ತಾರೀಖು ನೇ ಮಾಹೆ
ಸಕ 190 ನೇ ಇಸವಿ.

ಅಂಗೀಕರಿಸಿದೆ
C. Gopala Rao
Pleader.

ಈ ಮೊಕ್ತ್ಯಾನ್ನಾಮೆ ಕೊಟ್ಟವರು ನನಿಗೆ ಪರಿಚಯಿಸ್ತರು ನನ್ನ ಸಮಕ್ಷಮ ಇದಕ್ಕೆ ರುಜುಮಾಡಿ ಇಪ್ಪಾರೆ. C.G.

Copy applied for 4.7.1901

Do ready on 18.7.1901

Do delivered on 20.7.1901

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| No. of words | 150 |
| Copying fee | R A P<br>0 — 3 — 0 |
| Comparing fee | 0 — 0 — 8 |
| Total | 0 — 3 — 8 |

Code Class. P

# INDIAN TELEGRAPHS.

Monthly Number. 936

| To (Office) | From (Office) |
|---|---|
| Kurnool Camp | Ko-Co Town |

| Words | Day | Hour. | Minute. | Official Instructions |
|---|---|---|---|---|
| 134 | 7 | 18 | 56 | Rs 2-0-0 |

| To (Person) | From (Person) |
|---|---|
| The Krishnamoorthi Sastrulu Bahadur Bellary | Lady Bulps Esq Tahsildar Venkatagiri & other |

May I please you accept my heartfelt congratulations on the auspicious occasion of your birthday which falls on February 16th 1899 but as you are in camp I send you these few lines in advance so that you may receive them on the day of your birthday at midnight without fail before the day begins

FC 2.

No. 4 Form.

Recd. from LN. | Sent to LN.

At Hrs. Mts. by | At Hrs. Mts. by

Telegraph Master.

Code Class.

# INDIAN TELEGRAPHS.

Monthly Number.

| To (Office) | From (Office) |
|---|---|

| Words | Day | Hour. | Minute. | Official Instructions |
|---|---|---|---|---|
| | | | | |

| To (Person) | From (Person) |
|---|---|
| H | |

Latest paper by dismantling old mud walls may with [illegible] for the wheel in [illegible] [illegible]

84 Word Form.

F.C 2.

| Recd. from | LN. | Sent to | LN. |
|---|---|---|---|
| At Hrs. | Mts. by | At Hrs. | Mts. by |

W. J. Krishnaiyer
for Telegraph Master.

Reply —

attended to 28/7/07

Represent to Defendant
Commissioner once more
and ask for reply

Koblenz
28. VII. 07

Hochgeehrter Herr
Präsident!

Durch meinen Vater
erfahre ich, dass
Ihre Klage wegen
Ihrer Pension
bis jetzt noch nicht
entschieden ist.
Ich möchte Sie
freundlichst
ersuchen, mir
mitzuteilen, wie
lange noch
ungefähr
Ihre Entscheidung
auf sich warten
lassen wird.

Mit vorzüglicher
Hochachtung
ergebenst

17/4/02

S.R.No. 90

Commissioner's Office

Deputy Commissioner

1854

1855

3-5-99

Dy. Comr
Chanda
696. 28-3-99

20-4-1899

# Notice

Whereas it is necessary to issue
further instructions regarding
public processions and assem-
blies within Municipal limits
it is hereby directed that appl
cation for permission to hold
the same shall be made a
least to the Sar Amen, who
will immediately give notice
thereof to the Police in order tha
they may regulate the conduc
of such assembly or procession
and prescribe the route by which
and the time at which, such
procession may pass.

2. The high roads of the Can
tonment are open to all per
in passing places of worship
of whatever denomination, proces
sion

to observe the usual etiquette
ceasing to play while actually
using them.

Attention is specially called to
tions XXX, XXXI, XXXII of Act no
of 1861, published as a Supple-
ent to the Gazette on the 13th
pril 1867.

th March 1868

(Signed) J. Puckle
Cantonment magistr

Copy

ಸಿಸಿ ಕ್ಯಾಮೆರಾ

ಸಾಲ್ಮರ ಕೆ ಎಸ್ ರಾವ್ ರಸ್ತೆ

ಬಿಜೈ ಕಾಪಿಕಾಡ್ ಸಾಲ್ಮರ ಕೆ ಎಸ್ ರಾವ್ ರಸ್ತೆ ಮತ್ತು

Inclosure: 4

The Mahamedan residents of Chintamani viz Khaji Syed Insetan and others have presented a petition to this office to the following effect:—

They have a Mussjid at Chintamani in which they offer prayers. The Hindus do not stop music in front of the mussjid as per standing orders. On a reference to the Cutcherry Court, an endorsement was granted to them (No. 909 dt 9-9-71) stating that the music should be stopped near the place where Namaz is offered. They pray for the enforcement of the standing orders on the subject.

An anonymous petition in behalf of the Hindus of the place is also received. In which it is stated that there was an Asha Khana (Mussafarkhana) as entered in the public accounts. The Mussalmans recently repaired this building and say that they perform "Namaz" in it and that music should be stopped. Accordingly they stopped the procession during the Dasara.

A search was made for the Rules applicable to the matter in question. In March 1868, the following notice has been issued by the Cantonment Magistrate—

× N.B. — This endorsement is not put up with the petition.

Whereas it is necessary to
issue further instructions
egarding public processions
nd assemblies within the
municipal limits, it is
ereby directed that application
alion for permission to
old the same shall be
ade as usual to the
n Amey who will immed-
diately give notice thereof
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ouduct of such assembly
r procession and prescribe
e route by which and the
ime at which, such
rocession may pass.

. The high roads of the
~~Station~~ Cantonment are
ien to all. But in passing
laces of worship of what-
-ever denomination,
processions are to observe
the usual etiquette of
ceasing to play while
actually

keeping them.

3. Attention is specially called to Secs: XXX, XXXI, XXXII of Act No 5 of 1861, published as a Supplement to the Gazette on the 13th April 1867.

13th March 1868. (Sd.) J. Cuthbert
Cantt: Magistrate

The instructions laid down in the above notice were ordered to be enforced in all the Talukhs of the Province as per Late Chief Comrs letter No. 5592/281 of the 31st January 1871. Accordingly the Dy: Comr issued a Circular to all Asstts ans under date 22-2-71 to enforce their orders.

× Not found. This No is quoted in the Remarks Registr.

Dy: Comrs Ord dy 25-9-71 to all Asstts.

In this order it is stated that the Mahomedans of Chittamani moved the authorities for directing the music &c being stopped in front of Mussjids and Ashurkhanas. On a reference the Chief Comr × ruled that music &c need not be stopped in front of &c "Khabarstans" & "Ashurkhanas".

× (Letter No. 245/17 quoted)

Dy: Comrs Cir. No 9 dated 10-12-71

This Circular is issued with reference to Chief Comrs letter No. ~~3603~~ 4363/121 of the 30th November 1871 to the Superintendent of the Lazar Division

4 It has already been ruled that music should be stopped in front of places of worship.

Music should be stopped only in front of the principal gate existing from Inamool or only in front part.

If there were walls or houses between the High road & the place of worship; if such walls or houses being pulled down and a new gate being opened without the permission of the Dy: Superintendent, the rules of prohibition of music will not apply.

---

Find out the following particulars for the item

1/ What is the nature of the building temple or

2/ When was it erected & for whom authority?

3/ How is it included in the Income?

4/ Have any previous orders been passed regarding stoppage of music if so all papers should be submitted.

Hill Sparkes

21/1/99

Statement of Syed Nainar Lebbai Marikar
Aliyar Syed Ahamed Lebbe.

The building was always a Dewale
thirty years ago it fell down & was
some how repaired by degrees. It then
remained has been performed there for the
last thirty years. ~~illegible~~ but
no new was built for reconstructing the
building.
During the repair of the present Dewale under
dispute, prayers were held in the old
Dewale behind the present & in the
Archakans.
The prayers were for the stoppage of
rains in the front in front of the
building called Ashenkana.

Statement of Hindu Navaneethampillai & Ra
The present building never was a Dewale
the proper Dewale being behind the present
building which only was for placing
Pallakies during the Ashanam.
There was a wall in front of the present
building & there was no doorway.
The door at the back was constructed
years ago some way north of opposite
to the front of the Dewale.

Rder

A. by the Collector some clearing the
Building in question in an
Achamphana. Re reserving to the Govt
Cir. Log dated 20/12/21 Issued on the
Ch. Comm. Letter No 4363/122 of 30th Nov. 21.
it is clearly laid down that the planning
of work in point of Achamphana is
not prohibited, for those reasons I
reject the petition & refuse to order
the pulling of work in point of
the Building to be stopped.

Hth Sparks
16/2/22

SECTION Petns & Appeals

FILE No. 514 of 02

SERIAL No. 7

MYSORE DEWAN'S OFFICE.

JUDICIAL DEPARTMENT.

49(2)

No. 4889 & J 394 dy 25/9/02

OFFICIAL MEMORANDUM.

The accompanying Petition No. 196 & 191 dated 18th July 02 received at the Dewan's Office from the Muselmans inhabitants of Chintamani appealing against the order of the Dy. Comr., Kolar Dt. declining to order the stoppage of Hindu music in front of their mosque is forwarded, together with its enclosures, to the Deputy Comr., Kolar District for any remarks he may have to make and for submission of the records of the case including the order passed by Mr. Sparks in February 1899.

By order,

24/9/1902

Secretary.

BANGALORE,

The 25/9/1902

OFFICE OF THE
Regd. No 4688
31 OCT. 1902
DEWAN OF MYSORE

14 J. 654
1902 30

SECTION Police & Local Commissioner Kolar District

FILE No. 5402

SER'AL No. 3

From H. C. Bowring Esq

To H. Narajanaraya Esq
Secretary to the
Government of Mysore.

Dated 28th October 1902

Despatched 29

Received

General No. C. 685
No.

Enclosure No. Application.
90 2 files
Documents

Submitting the records relating to the Masjid dispute of Chintamani Town.—

Put up
31.10.02

Read
4/11

Submitted with
Note Continued.
6/11

S.D. c. 685

Kolar Deputy Commissioner's Office
Camp Bangarapet
Dated 28th October 1902.

From,

J. G. Carr Esqr.
Deputy Commissioner
Kolar District.

To,

M. V. Manjunadayya Esqr.
Secretary to the Government
of Mysore, Revenue General
Department.

Sir,

In reply to your official memorandum No. 4889/J 374 dated 28th September 1902 calling for the submission of the records relating to the Masjid dispute of Chintamani Town, I have the honor to forward herewith entire records connected with the case including the order passed by Mr Shanklesin 1899.

2. I reported the result of my enquiry and forwarded a copy of my order with my No C 1958 dated

9th April 1902 and the Government in Klein No. 17348/J 15-66 dated 25th April 1902 recorded this fact. —

2. As the facts of the case and my remarks are contained in my order, I have nothing more to add, beyond saying that the fractious spirit between the Mohammedan and Vaisya Community is still very strong owing to this new masjid, and is not likely to abate until the question is finally settled. —

I have the honour to be,
Sir,
Your most obedient servant,

[signature]
Deputy Commissioner
Trichy.

SEMENT GRANTED TO Khaja Bud-ud-din Sa
saheb inhabitants of the
Lawia

ion Registered No. 196 dated 18th July
the Dy. Comr's order declin
the case of Hindu for accession
a Guardian be appointed as
of the minor ~~Mahomed~~.

---

Petitioners are informed that Government see
no adequate grounds for interferin
this matter, ~~but that they may, if~~
~~advised, obtain an adjudication of~~
~~their rights in the~~ a Competent Civil Courts.

18/4/11/1902